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5 UNITED STATES DISTRICT COURT  
6 EASTERN DISTRICT OF WASHINGTON

7 UNITED STATES OF AMERICA, )  
8 Plaintiff, ) No. CR-08-085-LRS-1  
9 v. ) CR-08-086-LRS  
10 MICHEAL D. CHARLES, ) ORDER DENYING MOTION TO SET  
11 Defendant. ) CONDITIONS OF RELEASE  
12 \_\_\_\_\_ )

13 The court, having considered the file, the proffers of the  
14 parties, including a DVD and testimony, and arguments, finds the  
15 United States has met its burden by clear and convincing evidence of  
16 establishing there is not a combination of conditions to reasonably  
17 assure absence of risk to the community. The charges are serious,  
18 and for his age of 23 years, Defendant has a significant criminal  
19 history, including failures to comply. In addition, the DVD  
20 reviewed during the hearing on December 4, 2008, showed alleged  
21 assaultive behavior.

22 **IT IS ORDERED** the Defendant's Motion to set conditions of  
23 release (Ct. Rec. 272, No. CR-08-085-LRS-1; Ct Rec. 31, No. CR-08-  
24 086-LRS) is **DENIED**.

25 DATED December 5, 2008.

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27 S/ CYNTHIA IMBROGNO  
28 UNITED STATES MAGISTRATE JUDGE